

May 16, 1999.

4. Plaintiff John Doe alleges that the Defendant Father Eric Ensey sexually assaulted him on occasions between May of 1998 and May of 1999 while he was a student at St. Gregory's Academy, a Catholic boarding school operated by the Defendant, the Priestly Fraternity of St. Peter, in Elmhurst, Pennsylvania.

5. Plaintiff John Doe alleges that the Defendants Father Eric Ensey, Father Carlos Urrutigoity each separately sexually assaulted him on two or three occasions in September or October of 2000 while Plaintiff was at the Society of St. John's residence in Shohola, Pike County, Pennsylvania.

6. Plaintiffs do not allege that the Plaintiff parents were present during any of the incidents of alleged sexual abuse.

Respectfully submitted,

FOLEY, COGNETTI, COMERFORD,  
CIMINI & CUMMINS

BY: s/ Vincent S. Cimini  
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ATTORNEYS FOR DEFENDANTS  
FATHER ERIC ENSEY, FATHER  
CARLOS URRUTIGOITY AND  
SOCIETY OF ST. JOHN

DATE: June 4, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing STATEMENT OF MATERIAL FACTS OF DEFENDANTS FATHER ERIC ENSEY, FATHER CARLOS URRUTIGOITY AND THE SOCIETY OF ST. JOHN SUBMITTED IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT was served upon counsel of record herein by first class, United States mail, postage prepaid, on the 4th day of June, 2004 in the instant action addressed as follows:

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And  
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